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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/692,959	10/24/2003	Ronald L. Mahany	14407US02	1865
23446 7590 06/30/2008 MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				
EXAMINER NGUYEN, PHUONGCHAU BA				
ART UNIT 2616		PAPER NUMBER		
MAIL DATE 06/30/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/692,959

Applicant(s)

MAHANY ET AL.

Examiner

PHUONGCHAU BA NGUYEN

Art Unit

2616

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

Claim Rejections – 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10–30, 32–36, 38–42, 44–50 are rejected under 35 U.S.C. 102(b) as being anticipated by Thrower (4,746,655).

Regarding claims 10, 18, 38,

Thrower discloses in figure 1 a transceiver (20–fig.2) for use in a wireless network device (unit 15–fig.1) that operates in a communication system (fig.1) that includes a radio network (wireless connections to remote devices 11 from the multi-channel unit 15, fig.1), the transceiver comprising:

a radio unit (antenna—fig.1) configured to communicate with the radio network (shorter range network between 11s and 15, fig.1), operable to control communications on the radio network;

wherein the transceiver (20—fig.2) is operable to enable the wireless network device (20c—fig.1) to participate as a master device (multi-channel unit 15—fig.1) capable communicates with radio network.

Regarding claims 11, 19, 39, Thrower further discloses a main communication network (cellular network—which is coverage by the cellular base station 7—fig.1) and wherein the transceiver is capable of communicating with the main communication network (i.e., longer range network between base station 7 and single-mobile 9 and multi-channel unit 15—emphasis added).

Regarding claims 12, 20, 40, Thrower discloses a processor (control 28—fig.2) operable to control the communications of the radio unit with the radio network (shorter range network to remote mobiles 11s) and capable of communicating

with the main communication network (cellular network to base station 7).

Regarding claims 13, 21, 41, Thrower further discloses wherein the wireless network device (multi-channel 15-fig.1) is operable to participate as a slave on the main communication network (cellular network of base/master station 7), see fig.1.

Regarding claims 14, 22, 42, Thrower further discloses wherein the main communication network comprises a wired communication network (i.e., wherein the base station 7 wired connecting to MSC 5, fig.1).

Regarding claims 15, 23, 43, Thrower further discloses wherein the main communication network comprises a wireless communication network (wireless communication network with single mobiles 9 and multi-channel unit 15 with base station 7, see fig.1).

Regarding claims 16, 24, 44, Thrower further discloses wherein the transceiver (20-fig.2) comprises an integrated circuit (fig.2).

Regarding claims 17, 25, 45, Thrower further discloses wherein the wireless network device 15-fig.2 is sized to be held by a user (figs.1-2, cellular phone, col.5, lines 24-25).

Regarding claims 26-30, 32-36, 46-50, Thrower further discloses wherein the transceiver (20-fig.2) enables the wireless network device (multi-channel unit 15-fig.3) to manage/synchronize communications of a second wireless network device (remote units 11) participating on the radio network (shorter range network-see fig.1), or/and with a third wireless network device (remote units 11) participating on the radio network.

Claim Rejections – 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 31, 37, 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrower in view of Koenck (6,006,100).

Regarding claims 31, 37, 51, Thrower discloses all the claimed limitations, except (1) wherein the radio unit is configured to communicate with the radio network using spread spectrum signals.

However, in the same field of endeavor, Koenck discloses implementing the transceiver in spread spectrum, see col.6, lines 42–45, corresponding to (1). Therefore, it would have been obvious to an artisan to apply Koenck's teaching to Thrower's system with the motivation being to minimize channel interference.

Response to Arguments

5. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUONGCHAU BA NGUYEN whose telephone number is (571)272-3148. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the

Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUONGCHAU BA NGUYEN/
Patent Examiner, Art Unit 2616

/FIRMIN BACKER/
Supervisory Patent Examiner, Art Unit 2616